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Sent: Wednesday, April 01, 2015 4:08 PM
To: Elkins, Arthur; Copper, Carolyn
Cc: Thornton, Kecia; Bergman, Shawna; Stanislaus, Mathy
Subject: OSWER Delay in Corrective Action Milestone

In accordance with the requirements of EPA Manual 2750, this email is to notify you that the following audit corrective action milestones will be delayed by more than six months past the original and revised agreed-to-dates. The reason for delays have been documented in the Agency's Management Audit Tracking System (MATS). If you have any questions, please contact Kecia Thornton at (202) 566-1913.

EPA promoted the use of coal ash products with incomplete risk information (11-P00173)

Recommendation 1: Define and implement risk evaluation practices to determine the safety of CCF beneficial uses EPA promotes.

Corrective Action 1-1: Planned: 2014-03-30 Completed: 0000-00-00

OSWER expects to complete the development of the conceptual model for evaluating the risks from unencapsulated uses by the second quarter of FY 2014.

March 2015 Update: The OSWER AA approved to revise this corrective action milestone date from **03-31-15 to 04-15-16**. OSWER expects to complete development of the conceptual model for evaluating risks from unencapsulated uses of Coal Combustion Residuals (CCR) by April 15, 2016.

EPA needs the additional time due to focusing over the past year on the recently completed final CCR disposal rule and continuing work implementing the rule; completing an external peer review of the conceptual model, or framework, by independent experts in the beneficial use field; and developing an example applying the framework to the use of FGD gypsum in agricultural applications.

- **CCR Disposal Rule:** Recently, OSWER met the court-ordered deadline of December 19, 2014 for the CCR disposal final rule. OSWER beneficial use staff were committed to developing the final rule and continue to be engaged in necessary implementation work which will continue over the coming year.
- **External Peer Review:** In the course of previous work developing a methodology for evaluating *encapsulated* uses of CCR, EPA determined that it is important to have the methodology reviewed by external experts in the beneficial use field. Consistent with that approach, EPA intends to have the framework for *unencapsulated* uses of CCR reviewed by external experts in the beneficial use field and will need to provide adequate time for the peer review.
- **Application of the Conceptual Model.** Previously, while developing the methodology for evaluating *encapsulated* uses of CCR, the EPA also developed a companion example

applying the methodology to uses of CCR in concrete and wallboard and published it together with the methodology. The EPA has determined, through communications with stakeholders, that it was instructive and very useful for EPA to develop and present such an example of how to apply the methodology to a real-world practical case.

Consistent with that approach, EPA is developing, concurrently with the framework for *unencapsulated* uses of CCR, an example of how to apply the framework to the use of CCR flue gas desulfurization (FGD) gypsum in agricultural applications. This work is being performed in collaboration with the U.S. Department of Agriculture, which is providing the field data that EPA will use in our application of the framework. If progress of the two projects allows, coordinating the completion of the framework and of the FGD example application will make the final product most useful for stakeholders, but may also take some additional time.